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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,927	07/21/2005	Katja Berg-Schultz	4662-43	9534

23117 7590 12/26/2008

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER

MAEWALL, SNIGDEHA

ART UNIT

PAPER NUMBER

1612

MAIL DATE

DELIVERY MODE

12/26/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10542927	7/21/2005	BERG-SCHULTZ ET AL.	4662-43

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**EXAMINER**

Snigdha Maewall

ART UNIT	PAPER
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1612 20081219

DATE MAILED:

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**Commissioner for Patents**

The reply filed on 10/01/08 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The newly submitted claims 9-26 are directed to an invention that is independent or distinct from the invention originally claimed in that the newly submitted claims are drawn to a method of protecting an encapsulated cinnamate derivative from photodecomposition in a topical sunscreen and, whereas the original claims 1-8 were drawn to a method of enhancing the photostability of encapsulated cinnamate and effective amount of additional encapsulated cinnamate. Applicant has amended the claims to add new limitations to the method and added new method, hence the newly submitted amended claims pertain to a new invention. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Snigdha Maewall, whose telephone number is (571) 272-6197. The examiner can normally be reached on 8:30 AM- 5 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frederick Krass can be reached on (571) 272-0580. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gollamudi S Kishore/  
Primary Examiner, Art Unit 1612